

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 25 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

WINSTON SHROUT,

Defendant-Appellant.

No. 18-30228

D.C. No. 3:15-cr-00438-JO-1
District of Oregon,
Portland

ORDER

Before: GOULD and PAEZ, Circuit Judges.

This appeal is remanded to the district court for the limited purpose of enabling that court to state, orally or in writing, the reasons for its order denying appellant's motion for bail pending appeal. *See* 18 U.S.C. § 3143(b); Fed. R. App. P. 9(b); *United States v. Wheeler*, 795 F.2d 839, 841 (9th Cir. 1986) (order).

The district court shall provide the oral or written statement within 10 days after the date of this order. *See Wheeler*, 795 F.2d at 841. Appellant may file a supplemental memorandum in support of the motion for bail pending appeal within 10 days after the filing date of the district court's statement. Appellee may file its response within 10 days after service of appellant's supplemental memorandum. Appellant's optional reply is due within 7 days after service of the government's response.

The previously established briefing schedule remains in effect.

The Clerk shall serve this order on the district judge.